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SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1989



ENROLLED

HOUSE BILL No. 2192

(By Del. Love & Givens)



Passed April 17, 1989

In Effect Ninety Days from Passage

ENROLLED
H. B. 2192

(By DELEGATES LOVE AND GIVENS)

[Passed April 7, 1989; in effect ninety days from passage.]

AN ACT to amend article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section thirty-a, relating to prohibiting the issuance of a hunting license to persons unless the person submits a certificate of training, another state's certificate of training or a statement that the person has previously held a hunting license; establishing a course in firearm and bow and arrow safety; providing for a certificate of training to be issued upon completion thereof; and providing credit toward license reinstatement.

Be it enacted by the Legislature of West Virginia:

That article two, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section thirty-a, to read as follows:

ARTICLE 2. WILDLIFE RESOURCES.

§20-2-30a. Certificate of training.

1 (a) Notwithstanding any other provisions of this
2 article, no hunting license may be issued to any person
3 unless the person submits to the person authorized to
4 issue hunting licenses either:

5 (1) A certificate of training as provided for in this
6 section or proof of completion of any course which

7 promotes as a major objective, safety in the handling of
8 firearms and of bow and arrows and which course is
9 approved by the Hunter Education Association;

10 (2) A certificate of training issued by another state or
11 Canadian province; or

12 (3) An affidavit to be included on the license appli-
13 cation form and signed by the person applying for a
14 hunting license, stating that the person has held a
15 hunting license issued by this or another state or
16 Canadian province in a prior year. The provision of this
17 section shall become effective the first day of January,
18 one thousand nine hundred ninety.

19 (b) The director shall establish a course in the safe
20 handling of firearms and of bows and arrows, such as
21 the course approved by Hunter Education Association.
22 This course shall be given at least once per year in each
23 county in this state and shall be taught by instructors
24 certified by the director. In establishing and conducting
25 this course, the director may cooperate with any
26 reputable association or organization which promotes as
27 a major objective, safety in the handling of firearms and
28 of bows and arrows: *Provided*, That any person holding
29 a class A-L or AB-L lifetime resident license obtained
30 prior to his or her fifteenth birthday shall be required
31 to obtain a certificate of training as provided for in this
32 section. This course of instruction shall be offered
33 without charge, except for materials or ammunition
34 consumed. Upon satisfactory completion of the course,
35 each person instructed in the course shall be issued a
36 certification of training for the purposes of complying
37 with the requirements of subsection (a) of this section.
38 The certificate shall be in the form prescribed by the
39 director and shall be valid for hunting license applica-
40 tion purposes.

41 (c) (1) Upon satisfactory completion of this course,
42 any person whose hunting license has been revoked for
43 a violation of the provisions of this chapter of the code
44 may petition the director for a reduction of his revoca-
45 tion time. However, under no circumstances may the
46 time be reduced to less than one year.

47 (2) Successful completion of this course shall be
48 required to consider the reinstatement of a hunting
49 license of any person whose license has been revoked due
50 to a conviction for negligent shooting of a human being
51 or of livestock under the provisions of section fifty-seven
52 of this article or of section eleven, article seven, chapter
53 sixty-one of this code, and who petitions the director for
54 an early reinstatement of his hunting privileges. Such
55 a petitioner shall also comply with the other require-
56 ments for consideration of reinstatement contained in
57 section thirty-eight of this article.

58 Nothing herein contained shall mandate that any
59 county school district in the state be responsible for
60 implementing hunter safety education programs.



The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Frederick L. Person
.....
Chairman Senate Committee

J. L. Satter
.....
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Joel C. Melvin
.....
Clerk of the Senate

Donald J. Hoyle
.....
Clerk of the House of Delegates

Sam R. Tucker
.....
President of the Senate

Robert C. Byrd
.....
Speaker of the House of Delegates

The within *is* approved this the *24th*
day of *April*, 1989.

Gaston Caperton
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 4/19/89

Time 10:34